

OGC HAS REVIEWED.

LS 6-0700a

13 April 1956

MEMORANDUM FOR: Acting Chief, Regulations Control Staff
STATINTL
SUBJECT : Notices Appearing in the [] Series

1. By your recent memorandum, subject as above, you have requested our views as to whether the Notices in the [] series are simply announcements of assignment, or whether they are actually instruments of appointment which, if they were to be rescinded, might cause some doubt as to the authority of the individuals named to continue to serve in the capacities named in the Notices.

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2. There seem to be four different types of notices in the series: STATINTL

(a) [] both signed by Mr. Dulles announce that Mr. Dulles and General Cabell, having "been duly appointed and sworn" have assumed office effective on the dates named. By these terms, these Notices do not warrant to be actual appointments.

[] However, it is suggested that these are of sufficient historical importance, within CIA, to warrant their retention in the regulatory material.

(b) Several Notices announce that an individual "is appointed", effective the date of the Notice or a subsequent date. In the case of a number of these (for example, the appointment of the Deputy Director (Support), Deputy Director (Intelligence) and the Inspector General), it appears likely that these constitute the actual formalization of the appointments of the individuals. It seems somewhat less likely in other instances, but it would be impossible to determine this matter in every case without examining the personnel and other records of each individual. In any event, in our view these Notices should not be rescinded. They involve, in the main, senior officials, by name, few in number. Their purpose is to furnish information, and their rescission, even if such action did not in fact revoke authority, might appear to do so. For the future, this situation might best be handled by including in the announcement an expiration date and a provision that the appointment is not affected by the expiration of the notice.

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(c) The series of Notices which announces that a given individual "was appointed" effective some earlier date do not purport to be appointments in themselves. It is suggested, however, that these be retained for the reasons suggested in subparagraph (b).

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(d) [redacted]
[redacted] announce the appointment or designation of individuals for stated periods of time to serve in indicated capacities during the absence of the incumbents. The periods of times in all three Notices have passed and there would be no value in retaining these three on the books.

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[redacted]
Assistant General Counsel

OGC/RHL:jcf

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